## APPELLATE COURT

SEVENTH TERM APRIL/MAY, 2006

## ASSIGNMENT FOR DAYS

LISTED WITHIN ARE THE CASES ASSIGNED FOR DISPOSITION DURING THE PERIOD APRIL 17 THRU MAY 5, 2006.

- 1. If a case is assigned for full hearing, the time for oral argument is limited to twenty minutes for each side; for the motion calendar, the time is limited to five minutes each side. See P.B. § 70-4.
- 2. Counsel are urged to provide the Appellate Court with a minimum of 48 hours' notice in the event an appeal scheduled for full argument is to be withdrawn. See also P.B. §§ 63-9, 85-2, 85-3.
- 3. Cases are scheduled for a specific time, not necessarily in the order listed. Counsel must identify themselves to the Clerk in the Courtroom at least 15 minutes before the scheduled time of argument.
- 4. All cases will be heard at:

COURTHOUSE

75 Elm Street, Hartford, CT

# **MONDAY, APRIL 17, 2006**

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

### 10:00 A.M.

#### AC26444 NNH RENALDO RESPASS

Michael Zariphes, Special Public Defender

v.

#### COMMISSIONER OF CORRECTION

Michael L. Regan, Assistant State's Attorney State's Attorney - New London

### AC26450 HHD SUFFIELD DEVELOPMENT ASSOCIATES, L.P.

Weinstein & Wisser, P.C.

V.

# NATIONAL LOAN INVESTORS, L.P., ET AL.

Updike, Kelly & Spellacy, P.C. Andrews, Young & Geraghty, P.C.

#### AC26930 HHD CHARLES J. IRVING

Charles J. Irving

STATEWIDE GRIEVANCE COMMITTEE

Statewide Bar Counsel

## 2:00 P.M.

#### AC25999 NNH

### STATE OF CONNECTICUT

Timothy J. Sugrue, Senior Assistant State's Attorney

#### LUIS A. SALAMAN

Steven B. Rasile, Special Public Defender

#### AC26082 / AC26431 HHD NANCY BELLMAN

Feldman & Hickey, LLC Montstream & May, LLP

## TOWN OF WEST HARTFORD

Halloran & Sage LLP West Hartford Corporation Counsel

#### AC26184 NNH XNH VINCENT JULIANO

Richard C. Marquette

BERNADETTE JULIANO

Noah Eisenhandler

#### BERNADETTE JULIANO

Noah Eisenhandler

### VINCENT JULIANO

Richard C. Marquette

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

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# TUESDAY, APRIL 18, 2006

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

### 10:00 A.M.

#### AC26174 H13W STATE OF CONNECTICUT

John A. East III, Senior Assistant State's Attorney

v.

#### MICHAEL EDWARD BROWN

Koskoff, Koskoff & Bieder

#### AC26948 NNH JOANNA ESPOSITO

No Appearance

v.

# TONY'S LONG WHARF SERVICES, LLC

Votre & Associates, P.C.

For Magistrate Robert T. Bown: Martin R. Libbin

#### AC26310 TSR KENNETH PLADSEN

John R. Williams, LLC

COMMISSIONER OF CORRECTION

Chief State's Attorney - Civil Litigation

#### 2:00 P.M.

#### AC26848 NNH

EILEEN C. PIROLO

Kennedy, Johnson, D'Elia & Gillooly Alan E. Silver, P.C.

v.

## YOLANDA DEJESUS

G. Randall Avery

#### AC26800 AAN

PRECISION MECHANICAL SERVICES, INC.

Ury & Moskow, LLC

V.

# SHELTON YACHT AND CABANA CLUB, INC., D/B/A

Benson A. Snaider, P.C.

#### AC25476 HHD

RINO GNESI COMPANY, INC.

Mayo Crowe, LLC

v

### SEBASTIAN SBRIGLIO ET AL.

Timothy Brignole

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

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# WEDNESDAY, APRIL 19, 2006 10:00 A.M.

IN THE FOLLOWING MATTER, COUNSEL AND PRO SE PARTIES ARE ORDERED TO APPEAR AND GIVE REASONS, IF ANY, WHY THE APPEAL SHOULD NOT BE DISMISSED FOR LACK OF A FINAL JUDG-MENT BECAUSE THE TRIAL COURT'S ORDER REMANDING THE CASE TO THE EMPLOYMENT SECURITY BOARD OF REVIEW FOR A DE NOVO HEARING WILL REQUIRE THE EXERCISE OF IN-DEPENDENT JUDGMENT OR DISCRE-TION OR THE TAKING OF ADDITIONAL EVIDENCE. SEE GENERAL STATUTES § 4-186 (a); LATINA V. ADMINISTRATOR, UNEMPLOYMENT COMPENSATION ACT. 54 CONN. APP. 154, 158 N. 8 (1999).

### (1) AC26998

#### CRYSTAL M. SHAH

Crystal M. Shah, pro se

v.

#### ADMINISTRATOR, UNEMPLOYMENT COMPENSATION ACT

Laurie Adler, Assistant Attorney General

For Intervenor Employment Security Board of Review: Susan E. Nofi-Bendici IN THE FOLLOWING MATTER, COUNSEL AND PRO SE PARTIES ARE ORDERED TO APPEAR AND GIVE REASONS, IF ANY, WHY THE TRIAL COURT'S JUDGMENT DENYING THE DEFENDANT'S MOTION TO CORRECT THE PRESENTENCE INVESTIGATION REPORT SHOULD NOT BE SUMMARILY REVERSED WITH DIRECTION TO RENDER A JUDGMENT OF DISMISSAL IN LIGHT OF STATE V. TAYLOR, 91 CONN. APP. 788, CERT. DENIED, 276 CONN. 928 (2005).

#### (2) AC26851

#### STATE OF CONNECTICUT

Office of the Chief State's Attorney

V.

#### **GARRY KLINGER**

Garry Klinger, pro se

IN THE FOLLOWING MATTERS, COUNSEL HAVE BEEN ORDERED TO APPEAR AND GIVE REASONS, IF ANY, WHY THE APPEALS SHOULD NOT BE DISMISSED FOR LACK OF A FINAL JUDGMENT BECAUSE, AT THE TIME THE APPEALS WERE FILED, THE AMOUNT OF DAMAGES HAD NOT BEEN DETERMINED. SEE STROINEY V. CRESCENT LAKE TAX DISTRICT, 197 CONN. 82, 84 (1985).

#### (3) AC27288

### ST. STANISLAUS CHURCH OF NEW HAVEN

Frechette & Frechette

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# AIG ANNUITY INSURANCE COMPANY ET AL.

Day, Berry & Howard, LLP Sette & Bonadies, P.C. Ouelette, Deganis & Gallagher, LLC

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

(continued)

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

(continued)

(4) AC27409

### CHRISTOPHER RICHARDS, ADMINISTRATOR ET AL.

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Ouelette, Deganis & Gallagher, LLC Sette & Bonadies, P.C. Frechette & Frechette

#### AIG ANNUITY INSURANCE COMPANY

Non-Appearing

IN THE FOLLOWING MATTERS, COUN-SEL AND PRO SE PARTIES ARE ORDERED TO APPEAR AND GIVE REASONS, IF ANY, WHY THE APPEALS SHOULD NOT BE DISPOSED OF, PRACTICE BOOK § 85-1, AND WHY SANCTIONS SHOULD NOT BE IMPOSED, PRACTICE BOOK § 85-2, FOR FAILURE TO FILE THE DOCUMENTS LISTED OR TO PURSUE THE APPEAL WITH DILIGENCE. FAILURE TO AP-PEAR AT THIS HEARING AS ORDERED WILL SUBJECT COUNSEL AND PRO SE PARTIES TO THE IMPOSITION OF SANCTIONS INCLUDING, BUT NOT LIM-ITED TO, MONETARY SANCTIONS, FINES, AND/OR PROHIBITION FROM APPEARING BEFORE THIS COURT. SEE GENERAL STATUTES § 51-84 AND PRACTICE BOOK §§ 85-1, 85-2.

#### AC25649 **(5)**

#### STATE OF CONNECTICUT

Office of the Chief State's Attorney

#### ARNOLD BELL

Moriarty, Paetzold & Kestenband, Special Public Defender

Brief of the defendant-appellant due on or before March 16, 2006.

**(6)** AC26415

IN RE: LAMONT H.

Law Offices of David M. Moore, LLC Cantin & Associates, P.C. James Kelly. Assistant Attorney General

John E. Tucker,

Assistant Attorney General

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For Minor Child:

David J. Reich

The Children's Law Center, G.A.L.

Brief of the respondent-appellant due on or before February 27, 2006.

**(7)** AC26813

LYNNETTE M. MILLIGAN, ADMINISTRATRIX OF THE ESTATE OF BERNARD P. MILLIGAN, JR., ET AL.

Adelman, Hirsch & Newman, LLP

JOSEPH P. GUNDECK

Joseph P. Gundeck, pro se

Brief of the defendant-appellee due on or before February 8, 2006.

(8) AC27416

STATE OF CONNECTICUT

State's Attorney, G.A. 11

STEPHEN J. WILLIAMS

Stephen J. Williams, pro se

Brief of the defendant-appellant due on or before February 17, 2006.

AC26226 (9)

ROBERT SMITH

Anthony E. Parent. Special Public Defender

COMMISSIONER OF CORRECTION

James M. Ralls, Senior Assistant State's Attorney

Record of the petitioner-appellant due on or before December 27, 2005.

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument. Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

#### (10) AC26755

#### GEORGE GALBERTH

Salvatore C. Adamo, Special Public Defender

# COMMISSIONER OF CORRECTION

Michele C. Lukban, Senior Assistant State's Attorney

Record of the petitioner-appellant due on or before January 30, 2006.

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

### 2:00 P.M.

## AC26503 TSR

DONALD E. COLE, JR.

John R. Williams, LLC Donald E. Cole, Jr., pro se

COMMISSIONER OF CORRECTION

Proloy K. Das, Assistant State's Attorney

#### AC25700 FBT

#### GEBREHIWET MOKONNEN

Daly, Weihing & Bochanis

v.

## PRO-PARK, INC.

Brown, Paindiris & Scott, LLP Pease & Dorio, P.C.

#### AC26581 L18W

#### FRANK GALLOGLY

Amy D. Schuchat

v.

#### GLEN KURRUS D/B/A

Robert E. Ghent

# THURSDAY, APRIL 20, 2006

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

## 10:00 A.M.

#### AC26304 K21N STATE OF CONNECTICUT

Melissa Streeto Brechlin, Assistant State's Attorney

V

#### **CURTIS GORE**

Kent Drager, Senior Assistant Public Defender

#### AC26894 NNH ULLMAN, PERLMUTTER & SKLAVER

Ullman & Perlmutter Gary P. Sklaver

v.

#### **BONNIE BYERS**

Gibson & Behman

#### AC26922 HHB

#### **MELVIN C. WASHINGTON**

Melvin C. Washington, pro se

v.

# COMMISSIONER OF MOTOR VEHICLES

Raul Rodriguez, Assistant Attorney General

#### 2:00 P.M.

## AC26542 HHB

#### DURKIN VILLAGE PLAINVILLE, LLC

Law Offices of Robert A. Ziegler

v.

# WILLIAM E. CUNNINGHAM ET AL.

William T. Barrante

#### AC26399 WWM

#### DANIEL SPENCER ET AL.

Updike, Kelly & Spellacy, P.C. Briggs Law Firm, P.C.

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# STAR STEEL STRUCTURES, INC., ET AL.

Bruce D. Tyler

#### AC26630 WWM

#### DANIEL SPENCER ET AL.

Updike, Kelly & Spellacy, P.C. Briggs Law Firm, P.C.

V.

# STAR STEEL STRUCTURES, INC., ET AL.

Bruce D. Tyler

# **FRIDAY, APRIL 21, 2006**

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

## 10:00 A.M.

#### AC26079 DBD

### STATE OF CONNECTICUT

Michele C. Lukban, Senior Assistant State's Attorney

v.

#### TIMOTHY DUNCAN

Annacarina Del Mastro, Assistant Public Defender

#### AC26775 HHB

#### DONALD MIKOLAJCIK

Law Offices of Joseph Mulshine

v.

# STAPLES THE OFFICES SUPERSTORE EAST, INC.

Gordon, Muir & Foley, LLP

#### AC26584 FST

#### STEPHEN CHIULLI

Andrew B. Bowman

v

#### NANCY ZOLA ET AL.

Wofsey, Rosen, Kweskin & Kuriansky, LLP Stamford Corporation Counsel

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

(continued)

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

# MONDAY, APRIL 24, 2006

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

### 10:00 A.M.

#### AC26124 UWY

MICHAEL J. MCVERRY, ADMINISTRATOR (ESTATE OF MARCOS MARTINEZ)

The Gallagher Law Firm

v.

## DAVID CHARASH, D.O.

Bai, Pollock, Blueweiss & Mulcahey Horton, Shields & Knox, P.C.

#### AC26949 NNH JOHN DOE

Stratton Faxon

For Amicus Curiae Survivors Network of Those Abused by Priests and Connecticut Lawyers Association: The Gallagher Law Firm

# HARTFORD ROMAN CATHOLIC DIOCESAN CORPORATION ET AL.

Cooney, Scully & Dowling Lynch, Traub, Keefe & Errante, P.C. Roger J. Frechette, pro se

### AC26880 KNO PATRICK COX

Randall A. Ortega Matthew G. Berger

## PATRICIA BURDICK

Seifert & Hogan

#### 2:00 P.M.

#### AC26597 FBT

LUIGI CAMMAROTA ET AL.

Harlow, Adams & Friedman, P.C.

# TRUMBULL PLANNING & ZONING COMMISSION ET AL.

James A. Cardone Green & Gross, P.C.

#### AC26837 FBT

RICHARD KOENIG ET AL.

Green & Gross, P.C.

v

TRUMBULL PLANNING & ZONING COMMISSION ET AL.

Harlow, Adams & Friedman, P.C. James A. Cordone

#### AC26160 HHD

JOSEPH RAMONDETTA ET AL.

Markowitz & Mawhinney, LLC

## SALVATORE AMENTA

Murtha Cullina, LLP

# TUESDAY, APRIL 25, 2006

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

### 10:00 A.M.

### AC25696 D03D STATE OF CONNECTICUT

Proloy K. Das, Assistant State's Attorney

#### DAMEISHA MOORE

Todd A. Bussert Medina & O'Brien, P.C.

#### AC26050 HHD STATE OF CONNECTICUT

Bruce R. Lockwood, Assistant State's Attorney

## JAMES J. FARR

Mary H. Trainer, Special Public Defender

#### AC26274 DBD STATE OF CONNECTICUT

Jessica Probolus, Special Deputy Assistant State's Attorney

# TAN PRAZERES

Ralph C. Crozier Law Offices

#### 2:00 P.M.

#### AC26504 NNH

## HEATHER MEDES ET AL.

John R. Williams, LLC Heather Medes, pro se Dara Medes, pro se

#### GEICO CORPORATION

Mazza & LeBlanc

#### AC26774 NNH

# STONE-KRETE CONSTRUCTION, INC.

Shepro & Blake, LLC

JILL P. EDER

Lampert, Williams & Toohey

#### AC26323 FBT

#### VANLINER INSURANCE COMPANY

Halloran & Sage LLP

v.

### THOMAS E. FAY D/B/A

Lustig & Brown, LLP

## WEDNESDAY, APRIL 26, 2006

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

## 10:00 A.M.

#### AC25863 TTD

AUTO GLASS EXPRESS, INC.

v.

HANOVER INSURANCE COMPANY
ED STEBEN GLASS COMPANY.

INC.

HANOVER INSURANCE COMPANY

For Plaintiffs:

Law Offices of Richard Preston Charles J. Lloyd, pro hac vice

For Defendant:

Russo & Larose

#### AC26656 XBR

# AQUARION WATER COMPANY OF CONNECTICUT

Day, Berry & Howard, LLP

BECK LAW PRODUCTS AND

FORMS, LLC, ET AL. Beck & Beck, LLC

#### AC26539 FBT

# ANNE DUNLEAVEY D/B/A UNIQUE INTERIORS

Halloran & Sage, LLP

v.

## PARIS CERAMICS USA, INC.

Daly & Pavlis

Nelson M. Farber, pro hac vice

#### 2:00 P.M.

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# AC26115 NNH

MATTHEW A. SCOTT Ann Coonley

Welch-Rubin & Jacobs, LLC

v.

## **JACKLYN A. SOMERS**

Jacklyn A. Somers, pro se The Gallagher Law Firm Guardian Ad Litem, Thomas Esposito of Esposito & Volza Quinnipiac University School of Law Legal Clinic

#### AC26767 HHB

#### SUZANNE SEARLES

Suzanne Searles, pro se

v

# COMMISSIONER OF SOCIAL SERVICES

Richard J. Lynch, Assistant Attorney General Hugh Barber, Assistant Attorney General Patrick Kwanashie, Assistant Attorney General

#### AC26860 NNH

## SHARYN N. D'URSO ET AL.

Votre & Associates, P.C.

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#### DEBORAH LYONS ET AL.

King & Shaw, LLC David A. Shaw, LLC, pro se

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

(continued)

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

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# THURSDAY, APRIL 27, 2006

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

### 10:00 A.M.

#### AC26159 TSR ALONZO JACKSON

Kathryn Steadman, Special Public Defender

v.

#### COMMISSIONER OF CORRECTION

Chief State's Attorney - Civil Litigation

#### AC25910 FBT ANDREA WILSON

Richard H.G. Cunningham

v.

### WILHELMINA JEFFERSON

Donald F. Reid, LLC

#### AC26707 DBD

# WELLS FARGO BANK, MINNESOTA N.A.

Law Offices of Martha Croog, LLC

## HERBERT C. MORGAN ET AL.

Tamara J. Evans Brian E. Lambeck Herbert C. Morgan, pro se Gary R. Michael Collins, Hannafin, Garamella, Jaber & Tuozzolo, P.C.

For Committee:

Donaldson, Kershaw & Norris, LLC

## 2:00 P.M.

### AC26018 UWY

#### STATE OF CONNECTICUT

Melissa Streeto Brechlin, Assistant State's Attorney

v.

#### MICHAEL F. CULVER

Veronica Tomaisic, Special Public Defender

#### AC26125 NNH

#### MARK S. URICH

Max F. Brunswick

## RICHARD FISH

K. Wynne Bohonnon

#### AC26565 TTD

#### JANET L. SZEGDA

I. David Marder & Associates, LLC Beck & Eldergill, P.C.

#### RONALD H. SZEGDA

Louden Legal Group, LLC

## **FRIDAY, APRIL 28, 2006**

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

### 10:00 A.M.

#### AC25637 UWY STATE OF CONNECTICUT

James A. Killen, Senior Assistant State's Attorney

#### **BRIAN MOORE**

Brian Moore, pro se

#### AC26098 UWY STATE OF CONNECTICUT

Marjorie Allen Dauster, Senior Assistant State's Attorney

## BRIAN MOORE

H. Owen Chace, Special Public Defender

#### AC26572 UWY STAMFORD WRECKING CO.

Ury & Moskow, LLC
Berkowitz, Trager & Trager, LLC

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# UNITED STONE AMERICA, INC., ET AL.

Anderson, Reynolds & Lynch, LLP

## **MONDAY, MAY 1, 2006**

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THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

## 10:00 A.M.

#### AC26607 HHD ROBERT PECAN

Neil Johnson

## PERRY MADIGAN ET AL.

Noble, Spector, Young & O'Connor, P.C. Chadwick & Stone, LLP

#### AC26715 FBT

## TRUMBULL FALLS, LLC, ET AL.

Winnick, Vine, Welch & Teodosio, LLC

v.

# TRUMBULL PLANNING & ZONING COMMISSION

Holahan, Gumpper & Dowling

## AC26931 NNH JOANNE O'BARA DADDIO

Joseph Chiarelli

## KENNETH O'BARA

Law Offices of Robert L. Sweeney, Jr.

For Minor Child: Thomas Esposito

Guardian Ad Litem, Thomas Esposito

#### 2:00 P.M.

### AC26372 FST JOAN DEAN ET AL.

V.

#### NORWALK ZONING COMMISSION

**JOAN DEAN** 

# NORWALK ZONING COMMISSION

For Plaintiffs:

Fogarty, Cohen, Selby & Nemiroff, LLC

For Defendants:

Norwalk Corporation Counsel Lepofsky, Lepofsky & Lang

#### AC26361 HHD JOHN F. O'BRIEN

John F. O'Brien

## SUPERIOR COURT AT HARTFORD JUDICIAL DISTRICT

Gregory T. D'Auria, Associate Attorney General Peregrine Zinn-Rowthorn, Assistant Attorney General

### AC25858 N05 IN RE: AMIRAH S.

David B. Rozwaski Howard J. Wicker Renee Bevacqua-Bollier, Assistant Attorney General

For Minor Child: Eugene M. Reynolds

# **TUESDAY, MAY 2, 2006**

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING"

## 10:00 A.M.

### AC25343 HHD STATE OF CONNECTICUT

Timothy J. Sugrue, Senior Assistant State's Attorney

## ANTHONY J. SANTANIELLO, JR.

Deborah Stevenson, Special Public Defender

#### AC26825 MMX SUSAN ALEY

Gould & Gillin, P.C.

V.

## WILLIAM ALEY

Cantin Lawyers, P.C.

#### AC25859 HHD LISA D. EGAN

Lisa D. Egan, pro se

v

#### PAUL EGAN

Paul Egan, pro se Robinson & Cole, LLP

#### 2:00 P.M.

#### AC26538 UWY ASQERI BEBRI

Bojka Law Offices Moore, O'Brien, Jacques & Yelenak The Gallagher Law Firm

v.

#### SHAWN MORENO ET AL.

Levine & Sharp O'Connell, Flaherty & Attmore

#### AC26195 UWY

## BANK OF NEW YORK

Hunt, Leibert & Jacobson, P.C.

v.

#### NATIONAL FUNDING ET AL.

Mostafa Reyad, pro se Wofsey, Rosen, Kweskin & Kuriansky, LLP Halloran & Sage LLP Douglas Milan, pro se

THE FOLLOWING CASE IS SUBMITTED TO THE COURT FOR DISPOSITION WITHOUT ORAL ARGUMENT

#### AC26887 FBT MARITA MARONE

Marita Marone, pro se Engelman & Welch-Rubin, LLP

v.

## FRANKLIN S. MARONE

Franklin S. Marone, pro se

# WEDNESDAY, MAY 3, 2006

THE FOLLOWING CASES ARE PRINTED FOR "FULL HEARING" EN BANC

### 10:00 A.M.

# AC24539 HHB

STATE OF CONNECTICUT

Nancy L. Chupak, Assistant State's Attorney

MAURICE FLANAGAN

Richard W. Callahan, Special Public Defender

Counsel must identify themselves to the Clerk in Court not later than 15 minutes before the scheduled time of argument.

> MICHÈLE T. ANGERS Chief Clerk